

McGREGOR W. SCOTT
United States Attorney

RICHARD A. LATTERELL
Trial Attorney, Tax Division
United States Department of Justice
P.O. Box 683, Ben Franklin Station
Washington, DC 20044-0683
Telephone: (202) 307-6422
Facsimile: (202) 307-0054
Email: Richard.A.Latterell@usdoj.gov

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA - AT SACRAMENTO

DAVID S. SAVAGE,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

UNITED STATES OF AMERICA,
Counterclaim Plaintiff,
v.
DAVID S. SAVAGE and PHYLISS SAVAGE,
Counterclaim Defendants.

Civil No. CIV.S-04-2316 WBS KJM

**STIPULATED APPLICATION FOR
EXTENSION OF HEARING ON
SUMMARY JUDGMENT MOTION
(THIRD REQUEST) AND [PROPOSED]
ORDER**

Currently before the Court is defendant the United States of America's Motion for Summary Judgment against Plaintiff David Savage. Plaintiff David Savage has filed his response in opposition, and the United States has filed its reply.

The hearing on said motion is currently set for January 23, 2006 at 10:00 a.m. (PST) in Courtroom 5. The parties respectfully apply and hereby stipulate, pursuant to LR 83-143 and LR

1 6-144, to an extension of time to continue the hearing to Friday, February 10, 2006 at 10:00 a.m.
2 in Courtroom 5 before the Honorable Judge Shubb. This is the Parties' third application for an
3 extension of time and is requested because counsel for the United States, who is based in
4 Washington, D.C., has another hearing in Sacramento on Friday morning, February 10, 2006.

5 Respectfully submitted this 13th day of January, 2006.

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7 McGREGOR W. SCOTT
United States Attorney

8 /s/ Richard A. Latterell
9 RICHARD A. LATTERELL
Trial Attorney, Tax Division
U.S. Department of Justice
10 Post Office Box 683
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6422
12 Facsimile: (202) 307-0054
Email: Richard.A.Latterell@usdoj.gov

13 Attorneys for the United States of America
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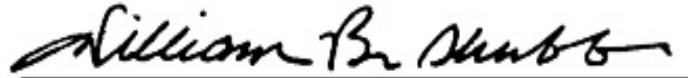
16 /s/ Robert R. Rubin
17 ROBERT R. RUBIN, ESQ.
McDonough Holland & Allen PC
18 555 Capitol Mall, 9th floor
Sacramento, CA 95814
Telephone: (916) 444-3900
19 Facsimile: (916) 444-8334
Email: rubin@mhalaw.com

20 Attorney for plaintiff
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1 **ORDER**
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IT IS SO ORDERED. Please do not request any more continuances.

4 DATED: January 18, 2006

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6 WILLIAM B. SHUBB
7 UNITED STATES DISTRICT JUDGE